

PATENT  
ROSE 3.0-036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#301

In re patent application of  
Hiatt et al.

Application No. 08/300,484

Filed: September 2, 1994

For: Enzyme Catalyzed Template-Independent Creation of:  
Phosphodiester Bonds Using Protected Nucleotides

Group Art Unit: 1623

Examiner: James O. Wilson

Date: May 20, 1999

Assistant Commissioner For Patents  
Washington, D.C. 20231

AMENDMENT

Sir:

Please amend the above-captioned patent application as follows.

IN THE CLAIMS:

Cancel claims 1-38.

Please add the following claims.

1 39. A method for synthesizing a polynucleotide of a predetermined sequence, comprising:

(a) providing an initiating substrate comprising a nucleoside having an unprotected 3'-hydroxyl group; and

(b) reacting said initiating substrate with a nucleoside 5'-triphosphate having its 3' position protected with a removable blocking moiety, wherein said nucleoside 5'-triphosphate is selected according to the order of said predetermined sequence, in the presence of an enzyme that catalyzes the formation of a 5' to 3' phosphodiester linkage between said

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent Office on the date shown below.

Shawn P. Foley, Esq.

*Shawn P. Foley*  
Signature

May 20, 1999  
Date

To: U.S.P.T.O  
Attn: James O. Wilson  
Fax No.: (703)308-4556  
No. of Pages: 4

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In re Patent Application of  
Hiatt, et al.

Group Art Unit: 1623

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Date: May 20, 1999

For: Enzyme Catalyzed Template-  
Independent Creation of . . .

X

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated as shown below.

## CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PAID FOR	NUMBER OF EXTRA CLAIMS	RATE	ADDL. FEE
TOTAL CLAIMS	* 55	MINUS **	94	= 0	x \$ 9 = \$	0.00
INDEP. CLAIMS	* 1	MINUS ***	3	= 0	x \$ 39 = \$	0.00
FEE FOR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S)					\$130 = \$	130.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT.....					\$	130.00

- \* If the entry in col. 2 is less than entry in col. 4 write "0" in col. 5.  
 \*\* If the "highest number paid for" in this space is less than 20, write "20"  
 in this space.  
 \*\*\* If the "highest number paid for" in this space is less than 3, write "3"  
 in this space.

1. (a) ☒ A Verified Statement to establish small entity status under 37  
C.F.R. 1.9 and 1.27 has been filed.  
 (b) ☐ A Verified Statement to establish small entity status under 37  
C.F.R. 1.9 and 1.27 is enclosed.  
 2. ☐ No additional fee is required.  
 3. ☒ Charge \$130.00 to Deposit Account No. 12-1095. A duplicate copy  
of this sheet is enclosed.  
 4. ☒ Please charge any additional fees or credit overpayment to Deposit  
Account No. 12-1095. A duplicate copy of this sheet is enclosed.

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